

REMARKS

Remarks to address the 112 rejection of claim 4.

The Examiner has rejected claim 4 under 35 U.S.C. 112, second paragraph as being indefinite by having a typographical misspelling error. The claim has been amended to correct the error. Applicants respectfully request removal of the 112 rejection of claim 4.

Remarks to address the 102(b) rejection of the claims.

The Examiner has rejected claims 1-11 under 35 U.S.C. 102(e) as being anticipated by Jeddelloh (USPN 6,473,817) stating, inter alia, Jeddelloh discloses "fixing an arbitration for a plurality of agents sharing a resource ***; determining the demand for each agent by skewing arbitration priority to the particular agent ***; correlating the demands for each agent for a predetermined duration ***; and assigning resource arbitration priority to each agent ***".

Applicants respectfully submit that, in Jeddelloh, "each device is initially assigned a current weighted bandwidth *** and is also assigned a priority ranking. *** Each time that a device is granted access to the bus, the value of its current weighted bandwidth is decremented. *** As transactions over the bus are completed, *** the number of granted requests corresponding to each device are tallied. After a number of requests have been granted, the ratio of the number of grants for the device to the total number of granted requests is calculated for each device. *** If the ratios are not comparable to the desired weighted bandwidths, the weighted bandwidths may be adjusted ***".

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In contrast Applicants' claims, e.g. claim 12, comprises "fixing an arbitration for a plurality of agents sharing a resource;

performing experiments of skewing arbitration priority to particular agents, the experiments skewed from the fixed arbitration;

correlating demands for each agent for a predetermined duration; and

assigning resource arbitration priority to each agent based on the historical ratio of the demand for each agent over the sum of the demands of all agents, said historical ratio comprising demands of the experiments for each agent" (emphasis added).

Hence, Applicants respectfully submit that Jeddeloh's decrementing of weighted bandwidth is a normal sequence, and teaches away from Applicants' "experiments" which are "skewed from the fixed arbitration", as defined by claim 12. Independent claims 13 and 14 comprise similar language.

As the result, Applicants respectfully submit that independent claims 12, 13 and 14 patentably define over Jeddeloh under 35 U.S.C. 102(e).

Additionally, Applicants respectfully submit that dependent claims 3, 4, 6-9 and 11 further define Applicants' invention with respect to the results of the "experiments" that are "skewed from the fixed arbitration" as defined by the claims from which they depend. Hence, Applicants respectfully submit that dependent claims 3, 4, 6-9 and 11 patentably define over Jeddeloh under 35 U.S.C. 102(e).

Applicants further respectfully submit that Applicants' invention patentably defines over the additional references cited by the Examiner, including USPN 5,784,569 (Miller et al.); USPN 6,119,188 (Sheafor et al.); and USPN 6,385,678 (Jacobs et al.).

Applicants have amended claims 3, 4, 6, 7, 9 and 11 to clarify the antecedent basis for words used in the claims.

The foregoing amendments and arguments are submitted to place the application in condition for allowance. Applicants' respectfully submit that claims 3, 4, 6-9 and 11-14 are patentable over the cited references under 35 U.S.C. 102. Applicants respectfully request allowance of claims 3, 4, 6-9 and 11-14.

Respectfully submitted,

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